

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Paul Morse v City of Novi**  
Docket No. **286817**  
L.C. No. **07-048098**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The motion to waive fees is GRANTED for this case only.

This case is DISMISSED for lack of jurisdiction. Plaintiff's filing is a complaint for superintending control, an action that has replaced a writ of prohibition under MCR 3.302. As a complaint for superintending control, it must be dismissed because "an original action may not be commenced in the Supreme Court or the Court of Appeals if the circuit court would have jurisdiction of an action." A criminal prosecution of a violation of a city ordinance occurs in the district court, and the circuit court has initial authority to review district court cases. See MCR 3.301(A)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT - 9 2008

Date

*Sandra Schultz Mengel*

Chief Clerk